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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,181	01/12/2000	Daniel Esbensen	TOUC.022us2	6651

22798 7590 06/10/2005

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EXAMINER

AN, SHAWN S

ART UNIT PAPER NUMBER

2613

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/482,181

Applicant(s)

ESBENSEN, DANIEL

Examiner

Shawn S. An

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,9,10,12-15 and 33-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,9,10,12-15 and 33-43 is/are rejected.
- 7) ☒ Claim(s) 44 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Remarks/Arguments

1. Applicant's remarks filed on 1/24/05 have been fully considered but they are not persuasive.

The Applicant presents arguments of which Vaios reference fails to disclose:

A) using an information system to determine if an incident has occurred by analyzing image data;

B) using an information system to determine if an image is of interest by analyzing image data from multiple cameras;

C) using an intermediate image server for capturing and storing camera data and making that data available to a plurality of users;

D) an "image server" that receives and stores images from at least one remote camera and then provides those image to users;

E) capturing a plurality of still frames and generating a sequence of digital image data set;

F) at the camera, transmitting the sequence to a camera coordinator, the coordinator receiving digital image data set sequences from the camera;

G) at the camera coordinator, determining, using the digital image data sequences, whether an incident is associated with one or more frames and/or one or more cameras;

H) from the camera coordinator, transmitting the sequence of image data comprising datasets of interest over a network to an image server; and

I) storing one or more sequences to an image server;

However, after careful scrutiny of Vaios and Barraclough et al's references, the Examiner must respectively disagree, and maintain the grounds of rejection for the reasons that follow.

In response to arguments A), B), and C), since Applicant addresses limitations (information system, an intermediate image server) which are not claimed on the listing of instant claims, the arguments are considered moot.

In response to arguments D) and I), Vaios clearly discloses an “image server” (Fig. 1, 12) that receives and stores images from at least one remote camera (10) and then provides those image to users (8; End Users) (col. 3, lines 24-36).

In response to argument E), Vaios clearly discloses capturing a plurality of still frames and generating a sequence of image data set (Fig. 4, 306);

Note: A one of ordinary skill in the art readily recognizes that when a video camera starts recording, the video camera is in a sense capturing a plurality of still frames, and recording contents of the frames, and generating a sequence of image data set for a later retrieval/playback of captured/recorded frames. Furthermore, Applicant is also reminded that a conventional digital camera captures a plurality of still frames and generates a sequence of digital image data set. Moreover, Barraclough et al (secondary reference) clearly teaches implementing digital cameras (Fig. 1a, 134) (col. 3, lines 65-67).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaios to implement digital cameras as taught by Barraclough et al so as to generate a sequence of digital image data set for enhancing quality of still frames (images).

In response to argument F), Vaios clearly discloses at the camera, transmitting the sequence to a camera coordinator (Fig. 2, elements 12 or 111), the coordinator receiving image data set sequences from the camera. In other words, as shown in Fig. 1, the server (12 or 111) in this scenario is acting substantially the same as the camera coordinator for receiving image data set sequences from the camera.

In response to argument G), Vaios clearly discloses at the camera coordinator, determining, the incident (Fig. 4, 306, 308; The local computer system; col. 3, lines 24-36).

Vaios does not particularly disclose determining, using the image data sequences, whether an incident is associated with one or more frames and/or one or more cameras.

However, Barraclough et al teaches a security system, wherein a remote server station connects to a plurality of cameras (col. 1, lines 39-45).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaios to incorporate the well known concept of the remote server station being connected to a plurality of cameras as taught by Barracrough et al, for monitoring a plurality of areas such as retail shops, and for saving recorded digital image data sets to a safe remote server.

In response to argument H), Vaios clearly discloses from the camera coordinator (Fig. 2, elements 12 or 111), transmitting the sequence of image data comprising datasets of interest over a network (Fig. 1, 6; Fig. 4, 314).

Vaios does not particularly disclose transmitting the sequence of image data comprising datasets of interest over a network to an image server.

However, Barracrough et al teaches a security system comprising a remote server (Fig. 2, 230) acting as a video signal coordinator connecting to a plurality of end users (subscribers) (214a – 214z).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaios to incorporate the concept as discussed above as taught by Barracrough et al, so as to transmit the sequence of image data comprising datasets of interest over a network to the image server, thereby providing the image datasets of interest to a plurality of end users for an observation.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 10, 12-15, and 33-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaios (6,271,752 B1) in view of Barracrough et al (6,226,031 B1) as previously discussed in the last office action as filed on 9/16/04.

4. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaio and Barraclough et al as applied to claim 1 above, and further in view of Garland et al (6,144,772) as previously discussed in the last office action as filed on 9/16/04.

Allowable Subject Matter

5. Claim 44 is objected to as being dependent upon a rejected base claim 33 but would be allowable: if claim 44 is rewritten in independent form including all of the limitations of the base claim 33. Dependent claim 44 recites the novel features as previously disclosed (previously claim 32) in the final office action.

The art of record fails to anticipate or make obvious the novel features as specified above. Accordingly, if the amendments are made to the claims listed above, and if rejected claims are canceled, the application would be placed in condition for allowance.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S. An* whose telephone number is 571-272-7324.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



SHAWN AN
PRIMARY EXAMINER
6/8/05